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LEGISLATION DIVISION
OFFICE OF GENERAL COUNSEL

American Hotel & Motel Association

1101 CONNECTICUT AVENUE, N.W. ★ SUITE 1006 ★ WASHINGTON, DC 20036
(202) 223-6872

ALBERT L. McDERMOTT
Washington Representative

LAWRENCE T. GRAHAM
Deputy

CECILIA A. KIRBY
Assistant

January 7, 1983

Mr. Steve Klitzman
Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW
Room #658
Washington, DC 20554

Dear Mr. Klitzman:

At the suggestion of Representative Tom Bliley, we are writing with reference to S. 2355. Representative Bliley engaged in a colloquy (attached) with Representative Tim Wirth prior to final approval of this legislation in the House of Representatives. Since the FCC must follow up on this bill providing for telephone accessibility for the hearing impaired, we would appreciate the opportunity to participate in the process.

The American Hotel & Motel Association is a federation of hotel and motel associations located in the fifty states, the District of Columbia, Puerto Rico and the Virgin Islands, having a membership in excess of 8,200 hotels and motels accounting for over one million rentable rooms. Inclusive in our membership are all of the major hotel and motel chains.

We plan to disseminate information amongst our members to encourage voluntary compliance in providing for the hearing impaired. In the spirit of service and competition we have every reason to expect excellent cooperation.

Should you have any suggestions or if you need additional information, please let us know.

Sincerely,

Albert L. McDermott
Washington Representative

ALM/bjl

Attachment

and the incumbent of that office shall henceforth hold office under section 133, as amended by this Act.

(b) The existing district judgeship for the Northern and Southern Districts of West Virginia shall be authorized as the district judgeship for the Southern District.

Sec. 3. The table in section 133 of title 28, United States Code, is amended by striking out the following:

"West Virginia:

"Northern.....	1
"Southern.....	3
"Northern and Southern.....	1"

and inserting in lieu thereof the following:

"West Virginia:

"Northern.....	2
"Southern.....	4"

Passed the Senate December 10 (legislative day, November 30), 1982.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 5470, PERIODIC PAYMENT SETTLEMENT TAXES ACT OF 1982

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 5470, to amend the Internal Revenue Code of 1954 with respect to the tax treatment of periodic payments for damages received on account of personal injury or sickness, with Senate amendments thereto, insist on the House amendments and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none and, without objection, appoints the following conferees: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, DUNCAN, and FRENZEL.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 7093, REDUCING RATE OF CERTAIN TAXES PAID TO VIRGIN ISLANDS

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 7093, to amend the Internal Revenue Code of 1954 to reduce the rate of certain taxes paid to the Virgin Islands on Virgin Islands source income, with Senate amendments thereto, insist on the House amendments and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none and, without objection, appoints the following conferees: Messrs. ROSTENKOWSKI, PICKLE, JACOBS, GERHARDT, SHANNON, ARCHER, GRADISON, and MARTIN of North Carolina.

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 6056, TECHNICAL CORRECTIONS ACT OF 1982

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that the managers have until midnight tonight to file a conference report on the bill, H.R. 6056, to make technical corrections related to the Economic Recovery Tax Act of 1981, the Crude Oil Windfall Profit Tax Act of 1980, and the Installment Sales Revision Act of 1980.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PROVIDING TELEPHONE SERVICE TO PERSONS WITH IMPAIRED HEARING

Mr. WIRTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2355) to amend the Communications Act of 1934 to provide that persons with impaired hearing are insured reasonable access to telephone service, with the Senate amendment to the House amendments thereto, and concur in the Senate amendment to the House amendments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendments, as follows: Page 4, after line 17, of the House engrossed amendment, insert:

Sec. 3. Subparagraph (B) of paragraph (2) of section 1225(a) of the Public Broadcasting Amendments Act of 1981 is amended to read as follows:

"(B) Notwithstanding the provisions of subsection (c) of section 396 of the communications Act of 1934, in the case of the offices of director the terms of which expired March 1982, persons appointed to fill two of such vacancies existing as of December 13, 1982, shall be appointed for terms which shall expire on March 1, 1984 and shall not be representative of the political party having a majority of the directors of the Board on December 13, 1982. Persons appointed for a term beginning March 1, 1984, to fill the vacancies occurring in such offices the terms of which, by reason of the preceding sentence, expire on March 1, 1984, shall not be filled by persons representing the political party having a majority of the directors of the Board on March 1, 1984. Persons appointed on or after March 1, 1984, to fill vacancies in the two such offices shall be appointed for terms of five years. On March 1, 1984, there are abolished those five offices of director the terms of which, without application of the preceding provisions of this paragraph, expire on such date. In administering the provisions of this paragraph a director is a minority member of the Board if he is not a member of the political party to which the majority of the directors of the Board are members."

Sec. 4. The Communications Satellite Act of 1962, as amended (47 U.S.C. 701 et seq.), is amended by deleting the second sentence of section 304(b)(2) of such Act.

Mr. WIRTH [during the reading]. Mr. Speaker I ask unanimous consent that the Senate amendment to the House amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. WALKER. Mr. Speaker, reserving the right to object, is there any cost at all in this bill? Is there any money involved in the bill?

I yield to the gentleman.

Mr. WIRTH. The answer to that is "No." As part of the Public Broadcasting Amendments Act of 1981 Congress reduced, by attrition as of October 1, 1983, the size of the Board of the Corporation for Public Broadcasting, from 15 to 11, while providing that the new Board have no more than six members from the same political party. Because of a number of appointments now pending to the 15-person Board, in 1984 an impermissible imbalance could occur in terms of the political party representation on the Board. By having two of the terms that are slated to be filled in the near future—which expired in March of this year—end on March 1, 1984, this problem of political imbalance can be avoided, thus allowing attrition of the Board to proceed smoothly. This is a noncontroversial amendment which has complete bipartisan support in both Houses.

One Senate amendment repeals an outdated provision of the Communications Satellite Act of 1962. This provision required Comsat to offer 50 percent of any stock offering it was going to bring to the market for sale to the various communications carriers. However, since the enactment of this provision, all of the authorized carriers have divested themselves of their holdings in Comsat.

Comsat is currently planning to bring a new equity offering to the market. This provision of the act imposes a burden on the issuance of new securities, yet does not give the authorized carriers any corresponding benefit. In 1972, as part of the Domsat proceeding, the FCC required AT&T to divest itself of its holdings in Comsat as a precondition of operating its own domestic satellite system. And the International Record Carriers, which purchased the permitted number of shares in Comsat when the company was formed, have long since disposed of their holdings, since Comsat has not, until recently, been a good investment.

When Comsat brings its new equity offering to the market, any member of the public—including the International Record Carriers—will have the opportunity to purchase stock. The removal of this particular section will not have any effect over the carriers' ability to own shares in Comsat. The change merely removes Comsat's obligation to set aside 50 percent of its new offering for a group of carriers who have shown no inclination in—or have been constrained from—owning shares of Comsat.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado (Mr. WIRTH)?

Mr. BLILEY. Mr. Speaker, reserving the right to object, I would like to engage the chairman of the Telecommunications Subcommittee in a brief colloquy.

I apologize to my colleagues for having been necessarily absent when this legislation was considered under suspension earlier this week. I did have several concerns about the legislation, and the chairman of the subcommittee has been most helpful in addressing several of them.

Could the gentleman from Colorado clarify for me: Would it be possible for an industry to avoid regulation by the Federal Communications Commission by engaging in a program of voluntary compliance with the goals of this act?

Mr. WIRTH. I thank the gentleman for his inquiry. The language of the statute specifically directs the Commission to consider the costs and benefits of any proposed regulation. As I suggested in my earlier remarks, the Commission should encourage programs of voluntary compliance, which avoid many of the costs associated with direct enforcement by the Commission. Accordingly, the Commission should rely upon voluntary programs developed by an industry segment to achieve compliance with the provisions of the statute provided that those programs are effective on a continuing basis.

Mr. BLILEY. The report of the committee provides examples relating to the possible requirements that could be imposed on the hotel industry. Were those examples intended to specify that the Commission should adopt any particular requirements with regard to this industry?

Mr. WIRTH. No. The hearing impaired have expressed particular concern about their ability to reach their family and to conduct business while traveling. In previous legislation, they have urged that all hotel phones be made compatible. I believe that the committee was concerned that the Commission not impose undue costs on the hotel industry. It also observed the broad authority of the Commission with respect to hotels and motels. The committee, therefore, provided several examples of the maximum extent of regulation that the Commission should promulgate. These examples do not require or suggest that the Commission adopt any of these requirements.

Mr. BLILEY. I thank the chairman for his cooperation in clarifying this point. I share his concern for the safety and convenience of the hearing impaired when they are traveling. It is my hope that a strong voluntary effort by the hotel industry will provide the hearing impaired with the in-

formation and equipment they need so that we can avoid unnecessary new regulations in this area.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado (Mr. WIRTH)?

Mr. BROYHILL. Further reserving the right to object, Mr. Speaker, and I shall not object, I just wanted to thank the gentleman from Colorado for accommodating the concerns just expressed by the gentleman from Virginia (Mr. BLILEY).

I think this has added a great deal to the passage of this legislation which surely is needed. I know the hearing impaired in my area have been expressing their interest in this legislation for some time. I think it is in the public interest and would urge that it pass unanimously here today.

Mr. WIRTH. Mr. Speaker, would the gentleman yield?

Mr. BROYHILL. I am glad to yield.

Mr. WIRTH. Mr. Speaker, I want to thank the gentleman and thank the gentleman from Virginia for their help in sorting through a question which has plagued this legislation for the last 5 or 6 years and also to take the opportunity on behalf of our colleagues to wish a speedy recovery to the gentleman from Virginia (Mr. BLILEY).

Mr. BROYHILL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado (Mr. WIRTH) that the amendment be considered as read and printed in the Record?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Colorado (Mr. WIRTH)?

There was no objection.

A motion to reconsider was laid on the table.

JOB TRAINING PARTNERSHIP ACT AMENDMENTS

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, S. 3113, making certain minor and technical amendments to the Job Training Partnership Act and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California (Mr. HAWKINS)?

Mr. JEFFORDS. Mr. Speaker, reserving the right to object, I do so for the purpose of allowing the chairman to explain the nature of this bill.

I would like to say first that I have examined the bill. It is made up with one exception, which not of great major note, of merely technical amendments, misspellings or punctua-

tion problems which are technical in nature.

The one area, I believe, which is more of a substantive matter involves advertising in a newspaper by a State. It is not of any great moment and I assure the gentleman from Pennsylvania that this does not in any way affect any expenditure of sums, other than the possibility of saving money through confusion.

I would ask the chairman of the committee if he concurs with that and wishes to make any other additional comments with respect to this bill?

Mr. HAWKINS. Mr. Speaker, I thank the gentleman for his remarks. It is true that this bill merely makes certain corrections in references, in material that was inadvertently deleted and minor corrections. As was indicated, the only substantive part of the bill which could be construed as different from what the conferees agreed to in conference was a deleted section which refers to the States advertising in newspapers for high-paying jobs.

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This was not the intent, certainly, of the conferees, but inadvertently this was stricken and this will reinstate it. With that one exception, all of the other changes are corrections in sections and in deleted materials.

Mr. JEFFORDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3113

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 103(c)(3) of the Job Training Partnership Act (hereafter in this Act referred to as the "Act") is amended by striking out "104" and inserting in lieu thereof "101".

(b) Section 106(d)(3) of the Act is amended by striking out "ex-offenders" and inserting in lieu thereof "offenders".

(c) Section 108(b)(2)(A)(iv) of the Act is amended by striking out "projects" and inserting in lieu thereof "payments".

(d) Section 122(a)(3)(C) of the Act is amended by striking out "executive officers" and inserting in lieu thereof "elected officials".

(e) Section 125(c) of the Act is amended by striking out "subsection" and inserting in lieu thereof "section".

(f)(1) Section 141(c) of the Act is amended by inserting after "unless" the following: "the Secretary determines that".

(2) Section 141(G) of the Act is amended— (A) by striking out the word "which"; and (B) by striking out the word "title"; and inserting in lieu thereof the word "Act".

(g) Section 142(b) of the Act is amended by inserting after "aid" the following: "furnished under any Federal or federally assisted program based on need".

(h) Section 143(d) of the Act is amended by striking out "1921" and inserting in lieu thereof "1931".